

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
-v-	:	
	:	23 Cr. 561 (JPC)
IVANJOEL ARYEETHEY,	:	
	:	<u>ORDER</u>
Defendant.	:	
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JOHN P. CRONAN, United States District Judge:

Defendant Ivanjoel Aryeetey is charged with one count of knowingly possessing a firearm, in and effecting commerce, following a felony conviction, in violation of 18 U.S.C. § 922(g)(1). Trial is scheduled to commence on May 6, 2024.

On February 15, 2024, Defendant filed a letter motion to dismiss the Indictment, challenging the constitutionality of Section 922(g) and relying on the Supreme Court’s decision in *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1 (2022). Dkt. 25. Defendant’s motion recognizes that this Court recently rejected a post-*Bruen* challenge to Section 922(g). *Id.* at 1 (citing *United States v. Hampton*, No. 21 Cr. 766 (JPC), 2023 WL 3934546, at \*10-13 (S.D.N.Y. June 9, 2023)). Defendant nonetheless makes the motion to dismiss “to preserve the issue to the extent permissible under the law” given cases pending before the Supreme Court and the Second Circuit. *Id.*


For the reasons this Court articulated in *Hampton* and last week in *United States v. Bell*, No. 23 Cr. 212 (JPC), 2024 WL 1020962, at \*1-3 (S.D.N.Y. Mar. 8, 2024), Defendant’s motion to dismiss is denied. As explained more fully in those decisions, the Second Circuit upheld the constitutionality of Section 922(g) in *United States v. Bogle*, 717 F.3d 281 (2d Cir. 2013) (per

curiam), and that holding remains binding on this Court post-*Bruen*. See also *McDonald v. City of Chicago*, 561 U.S. 742, 486 (2010); *District of Columbia v. Heller*, 554 U.S. 570, 626 (2008).

Accordingly, Defendant's motion to dismiss is denied. The Clerk of the Court is respectfully directed to close the motion pending at Docket Number 25.

SO ORDERED.

Dated: March 11, 2024  
New York, New York

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JOHN P. CRONAN  
United States District Judge